

MINUTES

The Tennessee State Board of Cosmetology held a meeting on December 1, 2008 at 9:00 a.m. CST, in Nashville, Tennessee.

The following members were present: Linda Colley, Vice Chairman, June Huckleby, Muriel Smith, Nina Coppinger, Janet Wormsley, Pearl Eva Walker and Judy Golden. H. D. Adcock, Chairman and Lee Bowles were not present.

Other present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Debbie Gean, Administrative Assistant I.

Vice-Chairman Linda Colley welcomed everyone to the board meeting.

Vice-Chairman Linda Colley called for roll call.

MINUTES

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to accept the October 6, 2008 board minutes. Motion carried unanimously.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to accept the November 3, 2008 board minutes. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Yuliya Ivgniva Howard & Mike Howard, Husband - Nashville, Tennessee – Present. Mr. Howard was present to speak for Ms. Howard. Ms. Howard placed an application for reciprocity of cosmetology license from The Ukraine which was presented to the Board of Cosmetology at the October 9, 2008 meeting. The Board reviewed her educational documents submitted and voted to accept the 790 hours she received in the cosmetology curriculum in The Ukraine. The 760 hours she obtained in a probation period at the ALTAN Private Company, the board did not accept those hours and voted she would be required to complete 740 hours. It should be 710 hours of instruction in the cosmetology curriculum and pass the state board cosmetology examination to qualify for license in Tennessee. Ms. Howard has requested to appear before the board today to discuss. The board had questions about the proof of five (5) year work history submitted by Ms. Howard. Mr. Howard stated that to obtain records from the actual employees they would have to return to Ukraine. Mr. Terrance Bond, Staff Attorney stated that Ms. Howard's five year work history is unclear. Mr. Howard stated that Ms. Howard went to college for telecommunications and that is why that is on her work history.

MOTION was made by Ms. June Huckleby and seconded by Ms. Judy Golden that the decision made at the October meeting remains as is, that Ms. Howard must obtain an additional 710 hours and take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Mr. Mwangi Vasser - Manchester, Tennessee – Not Present. Mr. Vasser appeared before the board of cosmetology at the November meeting concerning his reciprocity application for cosmetology license from Wisconsin where he completed 4,000 hours in an apprenticeship program for barbering and cosmetology. Mr. Vasser was requesting licensing as a cosmetologist in Tennessee. The Board voted he would be required to take the cosmetology examination to qualify for licenses in Tennessee. Mr. Vasser contacted Ms. Beverly Waller, Executive Director and requested to appear before the board today. Mr. Vasser was approved by the barber board for his barber licensing in July and has not submitted the fee for his license at the present time.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith that the previous motion stands as is that requires Mr. Vasser to take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

ADMINISTRATIVE REPORT

An application for a new school of cosmetology “Shear Perfection Academy of Cosmetology” to be located at 3616 Hwy 31 W, White House, Tennessee was submitted to the office. In the board members packet is the Surety Bond and 20 enrollment forms for students that plan to attend the school for full-time (25) hours or more. Ms. Waller stated to the board that they will notice the application does not have instructors listed but they have a letter explaining that Cari McDonald and Amanda Gasser have completed the instructor curriculum and are waiting to take the instructor examination. They will be the instructors for the school and are well aware the school cannot open until they have passed the exam and purchased their instructor license.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden that once Ms. McDonald and Ms. Gasser take and pass their instructor examination to send Ms. Linda Colley, Board Member and Mr. Terry Barnes, Inspector to inspect the school. Motion carried unanimously.

A request for extension from the 2007 cosmetology instructor seminar from Adrienne Roddy was presented to the board at the November meeting. She has now obtained a physician statement as to her mother’s illness and death with the dates from January 2007 to November 2007. She would like the board to reconsider the decline for the extension with the physician statement.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Pearl Walker to grant Ms. Roddy an extension and request she attend the 2009 and 2010 instructor seminars. Motion carried unanimously.

A request for extension from the 2008 cosmetology instructor seminar from Mary Ellen Wade was submitted to the office. Ms. Wade sent a letter explaining why she did

not attend the seminar. The letter states she was sick and hospitalized. No physician statement was included.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huckleby to request Ms. Wade send the board more information before they will make a decision. Motion carried unanimously.

An application for reciprocity of manicurist license from Toan Thanh Nguyen from Texas was submitted. Certification from the Texas State Board verifies he obtained his license in Texas by reciprocity from California. He attended school in California for 400 hours and obtained a California license. The Professional Licensing Boards Division of Georgia states he attended Georgia Beauty School and completed 200 hours. He is not license by the Georgia State Board. No five (5) year work history provided.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to require Toan Thanh Nguyen to take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of aesthetician license from Raedeen Banae Kougias from Nevada was submitted. Ms. Kougias hours of instruction in the aesthetician curriculum is 600 with original date of licensing as February 23, 1993. A letter from the applicant explaining why she cannot provide a five (5) year work history was provided.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to deny the request and require Ms. Kougias to take an additional 150 hours then take and pass the aesthetician examination to obtain a license in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license for Mary Ruth Hampshire from Florida was submitted. Certification from the Florida Board of Business Professional Regulation states 1,200 hours in instruction in the cosmetology curriculum and initial date of licensing as September 24, 2007. No five year work history was provided.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Hampshire obtain an additional 300 hours then take and pass the cosmetology examination to obtain a license in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license for Gabrielle Erin Kane from New York was submitted. Her education is 1,200 hours of instruction in the cosmetology curriculum in Florida. Initial date of licensing from New York certification is March 19, 2007 so no five (5) year work history was provided.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Janet Wormsley to request Ms. Kane obtain an additional 300 hours then take and pass the cosmetology examination to obtain a license in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license for Eitte Maria Gomme' from Belgium was submitted. Translated documents state she has satisfactorily completed all requirements to participate in the final exams and has obtained at least half of the points for each of the three examinations fields. (practical exam, exam of specialized knowledge and exam of general knowledge). She was awarded the certificate of Ladies Hairdresser. No information about the number of hours completed or required in training was provided.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request more information concerning her hours. Motion carried unanimously.

An application for the cosmetology examination from Janet Paige Merritt who has a felony was submitted. All information is attached for review. Two letters of reference were faxed to the board office after board packet was prepared and copies were given at the meeting.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Pearl Walker to approve Ms. Merritt to take the cosmetology examination. Motion carried unanimously.

An application for the cosmetology examination from Donald Hopper who has a felony was submitted.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to approve Mr. Hopper to take the cosmetology examination. Motion carried unanimously.

A request for approval of educational documents for enrollment in a school of cosmetology for Patel Bhavikaben Anilbhai was submitted.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to accept the educational documents for enrollment for Patel Bhavikaben Anilbhai. Motion carried unanimously.

Additional information was requested for review of the high school diploma from Japan for Masako Tsukahara at the October board meeting. The board was provided the additional information for review.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huckleby to accept the diploma from Japan for Masako Tsukahara. Motion carried unanimously.

A request for approval of high school diploma for Bethany Galloway from Scotland and Rabiya Rauf from Pakistan was submitted.

MOTION was made by Ms. June Huckeby and seconded by Ms. Nina Coppinger to accept both diplomas. Motion carried unanimously.

A research analyst for the Nevada Legislative Counsel Bureau Research Division conducted a survey regarding Fish Pedicures. Twenty states responded and Tennessee was one. A copy of the report was provided to the board members.

A request for approval of a high school diploma for Faouzya Marina Shlemon who attended a home school program was submitted. The board was provided information from the State of Tennessee Department of Education concerning this diploma.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Pearl Walker to accept the diploma. Motion carried unanimously.

Notification from Tennessee Technology Center at Oneida/Huntsville to offer a Junior Instructor program beginning January 2009 was provided. They list the instructor that will be offering the training and how it will be conducted.

An application for reciprocity of aesthetician license from Alexandra Chipee Torres who has a certificate from the Republica Del Ecuador was submitted. She has several certificates for skin classes and etc. She is licensed as a Body Wrapper in Florida and has a temporary license to practice esthetics in the State of New York. Certificate from Lia Schorr Institute of Cosmetic in New York for completion of 600 hours and another certificate for completion of 275 hours in esthetics, skin care and salon management.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Torres to take an additional 150 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Vietnam for Hoang Oanh Le was submitted. This application was presented at the October board meeting and the board had requested additional information detailing the 2,304 hours of instruction she received in the cosmetology curriculum in Vietnam. She submitted information on the study results which details what was covered in the 2,304 hours. She also recently, November 25, 2008 submitted an application for reciprocity of her manicurist license from the State of Washington. She completed 600 hours of instruction at VN's Beauty Academy in Seattle, Washington.

MOTION was made by Ms. Pearl Walker and seconded by Ms. Muriel Smith to request Ms. Le to take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to request Ms. Lee to take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of aesthetician license from Michigan from Gail Morgan was submitted. Hours of instruction in the esthetics curriculum are 437 (Michigan requires 400) initial date of licensing is May 27, 2008 so no five (5) year work history was provided.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to request Ms. Morgan to take an additional 350 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from San Vu from Georgia was submitted. A Certification from the Georgia State Board list 525 hours of instruction and initial date of licensing as March 26, 2007 so no five year work history was provided.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Vu to obtain an additional 75 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist from Florida for Robyn Henderson was submitted. The hours of instruction in the curriculum is 240 and she does not have a recent and consistent five (5) year work history in the field of manicuring.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Henderson take an additional 360 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of aesthetician license from Florida for Hoan Cong Nguyen was submitted. Hours of instruction 260 and he has been licensed as a facial specialist since 09/20/2000. The five year work history submitted has his occupation as nail technician.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to request Mr. Nguyen to obtain an additional 490 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of aesthetician license from Florida for Lien Kim Thi Nguyen was submitted. Hours of instruction are 260 and she has been licensed as a facial specialist since November 9, 1999. The five year work history submitted has occupation as nail technician.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to request Ms. Nguyen to obtain an additional 490 hours then take and pass the

aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Iran for Shanaz Goshvar was submitted. Documents from Iran state she completed the Ladies Hairdressing and Make-up Course at Golbon Institute for a period of 323 hours and scored 82 out of 100.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Goshvar obtain an additional 1,177 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Wisconsin for Barbara Visgar was submitted. Ms. Visgar completed a 4,000 hour apprenticeship program. Wisconsin boards are combined and she is licensed as a barber /cosmetologist manager. She did not submit a recent and consistent five (5) year work history.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Visgar appear before the board at the next meeting. Motion carried unanimously.

An application for the cosmetology examination for Michelle Williams and Carol Chilton graduates of Buchanan Beauty College was presented to the board at the November meeting. The board requested the legal adviser to contact the school which they attended for a recommendation due to the applicants having felonies. The board received letters from the school owner as to these candidates experience at the school.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to approve the graduates to take the cosmetology examination. Motion carried unanimously.

An application for examination from Kenneth Moon who has a felony was submitted to the board for approval.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request a recommendation letter from the school where he obtained his hours. Motion carried unanimously.

An application for the cosmetology reinstatement examination from Diane Moody was submitted. This candidate's license has been expired for 30 + years. She shows on the website as being a licensed cosmetologist but due to the age of expiration we have no information. In the print out it shows in rank since January 28, 1994, but that was the date the board office converted to the RBS software system. Ms. Waller needs the board's decision as to granting approval to take the reinstatement examination since the industry has changed so much in over 30 years.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Judy Golden to accept the application for reinstatement examination. Motion carried unanimously.

A letter was submitted to board as a response to the board's request for Terry Vasi to appear before the board concerning her application for reciprocity of cosmetology license from Florida. She has provided quite a bit of information but the board and Ms. Waller determined it is not a five year work history and it was quite confusing. She sent a letter to the board explaining.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Vasi obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

The board has tabled this request for a skin care salon twice due to the absence of Ms. Pearl Walker, Memphis board member because Ms. Walker visited this location and took the pictures. This is request to place a skin care salon in the back of a massage therapy business. There is not a back door for a separate entrance but she has stated that it is in a strip mall and that 0440-2-.07 Equipment should apply - A cosmetology, skin care, natural hair stylist or manicurist shop must have a separate entrance from any other business except in malls or strip shopping centers". The board has the photo and the letter from Representative Mike Kernell.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to not accept the application of the skin care shop due to the recommendation from Mr. Terrance Bond, Staff Attorney. Motion carried unanimously.

Consent order totaled \$21,500.00.

Debbie's Nails and Alteration
1218 Merchants Drive
Knoxville, TN 37912

Violation issued September 5, 2008
Pd \$2,000.00 on 11-13-08

Nail Art
1575-B Fort Campbell Blvd.
Clarksville, TN 37042

Violation issued September 19, 2008
Pd \$4,000.00 on 11-24-08

Nails and Tan
1368 Ellington Pkwy North
Lewisburg, TN 37091

Violation issued June 27, 2008
Pd \$2,500.00 on 11-13-2008

New Nails
10971 Kingston Pike
Farragut, TN 37934

Violation issued August 7, 2008
Pd \$750.00 on 11-17-2008

Supercuts #90025
420 Cool Springs Blvd.
Franklin, TN 37067

Violation issued August 19, 2008
Pd \$1,500.00 on 10-29-2008

T Nails
710 Winfield Dunn Pkwy
Sevierville, TN 37876

Violation issued September 11, 2008
Pd \$3,000.00 on 11-06-2008

Tippy Toes Nails Spa
2805 Old Fort Pkwy
Murfreesboro, TN 37128

Violation issued August 14, 2008
Pd \$3,000.00 on 10-29-2008

Tommy Nails
620 South Jefferson Avenue
Cookeville, TN 38501

Violation issued September 24, 2008
Pd \$1,000.00 on 11-21-2008

Viva Nails
782 Old Hickory Blvd.
Brentwood, TN 37027

Violation issued August 19, 2008
Pd \$750.00 on 11-04-2008

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to accept the consent orders. Motion carried unanimously.

STAFF ATTORNEY REPORT

Mr. Terrance Bond, Staff Attorney stated that it is the end of the year and he is working to close old complaints.

RECONSIDERATION REQUESTED:

1. L-08-COS-RBS-200801644-1

An informal conference was conducted with the owner of Respondent school. Board member Linda Colley was in attendance.

Final Recommendation: Close.

2. L-08-COS-RBS-200801984-1

Notice of Violation issued August 19, 2008 alleged operation of a cosmetology shop beyond the thirty (30) day grace period by a new owner. I spoke with the current owner, who informed me that she was advised by the previous owner of Respondent shop that she would only need a business license and that the existing license would be valid until its expiration date. After speaking with me, the new owner obtained a valid license to operate Respondent shop.

Recommendation: Close with a letter of warning re: non-transferability of licenses.

3. L-08-COS-RBS-200802175-1

Notice of Violation dated September 5, 2008 alleged that five (5) unlicensed operators were observed providing cosmetology services in Respondent shop. I spoke with the owner of Respondent shop, who has agreed to cease and desist employing the unlicensed workers and has agreed to the revocation of her shop license if she is issued another Notice of Violation for any unlawful conduct. The owner requests that the original settlement offer, which proposed a civil penalty of \$4,000.00, be reduced to \$2,000.00.

Recommendation: Accept the Respondent's offer and modify the terms of the Consent Order accordingly.

4. L-08-COS-RBS-200802254-1

Notice of Violation dated October 1, 2008 alleged that the owner of Respondent shop permitted an individual whose license to practice cosmetology had been expired more than thirty (30) years to practice cosmetology in Respondent shop. I spoke with the owner, who states that she repeatedly demanded that the employee obtain a valid license and received assurances from the employee that she would reinstate her license. The owner states that she believed that the employee had restored her license at the time the Notice was issued. The owner requests modification of the settlement offer, which originally proposed a \$2,000 civil penalty and Consent Order.

Recommendation: Reduce civil penalty to \$1,000.00 and impose a period of two (2) years probation.

REGULAR CASE REPORT:

1. L-08-COS-RBS-200802302-1

The complainant, a former employee of Respondent school, alleges she was treated in a discriminatory fashion by the owner of Respondent school.

Recommendation: Close with no action.

2. L-08-COS-RBS-200802245-1

The complainant alleges that she was unfairly dismissed from her employment with Respondent school and feels that her reputation as an instructor has been ruined.

Recommendation: Close with no action.

3. L-08-COS-RBS-200802365-1

Inspector states in Notice of Violation issued October 16, 2008 that he observed a man providing license-required service to a patron in Respondent shop without a board-issued license to perform the service. The inspector reports further in the Notice that he observed that nail dust was present where clean tools and implements were stored and that he found black mold present inside a pedicure tub drain.

Prior History:

5/02- unlicensed activity (\$500.00)

7/04- unlicensed activity (\$1,000.00)

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$3,000.00 civil penalty.

4. L-08-COS-RBS-200802265-1

Consumer states that an employee in Respondent shop cut her skin while performing a service on her and did not sanitize the instrument that he was using on her when he cut her. Owner of Respondent shop states that employee placed the instrument back in the drawer because he wanted to wait until he finished eating to sanitize the instrument.

No prior history indicated.

Recommendation: Close with a letter of warning re: proper sanitation relative to instruments coming into contact with broken skin.

5. L-08-COS-RBS-200802358-1

Notice of Violation provides insufficient information to take action on the alleged violations.

Recommendation: Close with no further action.

6. L-08-COS-RBS-200801803-1

Notice of Violation provides insufficient information to take action on the alleged violations.

Recommendation: Close with no further action.

7. L-08-COS-RBS-200801626-1

Student complaint alleges that Respondent school failed to provide adequately trained instructors to the students and students felt unprepared to offer services to the public or successfully complete the State Board examination. Owner of Respondent school states that the first instructor provided to the students was newly licensed and relatively inexperienced in teaching the relevant curriculum. He also stated that the first instructor did undertake some inappropriate instruction methods, but that he was not made aware of the incident until after the instructor had left her employment at the school. Respondent owner states further that he believes that the students were influenced by a former instructor at the school who was trying to secure her future employment at the school.

No prior history indicated.

Recommendation: Close with a letter of warning re: obligation to teach the prescribed curriculum and make sure students are adequately trained.

8. L-08-COS-RBS-200802288-1

Student complaint alleges that Respondent school has failed to release her hours, which are needed for her to complete her transfer to another school. Student states that upon her last attempt to resolve the issue with the school, she was told that the school had no record of her hours accumulated at the school. The owner of Respondent school states that the student failed to complete a withdrawal form after her exit from the school, which is apparently a prerequisite to the release of the student records. Owner states that the student's records will be released once the student completes the required form.

Recommendation: Close with no action.

9. L-07-COS-RBS-200705836-1

Consumer complaint alleges that an employee of Respondent shop caused injury to the bottom of her foot while performing a pedicure service on her. Consumer states that the injury site became inflamed and painful in the days following the service, and required her to seek a doctor's care. Consumer filed a claim with the Respondent's insurance company, and documents submitted by the Respondent indicate that the consumer's claim may have been satisfied by the insurer.

Recommendation: Close and flag the licensee file.

10. L-06-COS-RBS-200603925-1

Records indicate that Respondent shop is not longer operational.

Recommendation: Close file; re-open if shop begins re-operating.

11. L-07-COS-RBS-200705841-1

Consumer complaint alleges that she was injured at Respondent shop and that the owner of Respondent shop was rude to her following her attempts to follow up with the owner of Respondent shop regarding her injury. Respondent shop owner states that the consumer did not complain about her injury at the time of service, and that he thought the injury was relatively minor, and that he became upset when the consumer threatened him and accused him of engaging in unlicensed activity.

Recommendation: Close and flag licensee file.

12. L-07-COS-RBS-200705164-1

Student complaints allege unsanitary school environment, inadequate instruction and inferior equipment at Respondent school. Owner of Respondent school states that all problems identified by the students have been addressed and that the management of the school has been changed, resulting in positive changes in the school environment, as well as a greater feeling of satisfaction among the students. No further complaints have been received since the owner's response and no Notices of Violation have been issued to the school since the complaint was filed in 2007.

Recommendation: Close and flag file.

13. L-07-COS-RBS-200708378-1

Consumer complaint alleged unlicensed practice of cosmetology in an auto body shop. Investigation revealed that an individual who has completed her education but has not yet successfully completed the State Board examination was performing services for her friends and family in her home without charge to the recipients of the services. The individual stated that she performed the services only to "keep her skills up."

Recommendation: Close with no action.

14. L-07-COS-RBS-200708854-1

Consumer alleges that she received a staph infection after receiving service at Respondent shop and was required to seek medical treatment. Consumer provided medical documents indicating that she received amoxicillin, but did not provide any statements from a physician indicating that the medicines were prescribed for treatment for a staph infection or that the medicines were needed due to a service that the consumer received at Respondent shop. Owner of Respondent shop stated that the consumer did not complain of an injury during her service and actually scheduled another service to be performed in Respondent shop after the alleged injury and illness occurred.

Recommendation: Close with no action.

15. L-06-COS-RBS-200602567-1

Consumer complaint alleges unlicensed activity at several nail shops. All allegations have been addressed under separate complaint numbers.

Recommendation: Close.

16. L-07-COS-RBS-200708766-1

Student alleges that he did not receive certain equipment that he should have received from Respondent school. Owner of Respondent school provided a supplies checklist indicating that he received all supplies that were required to be distributed.

Recommendation: Close.

17. L-08-COS-RBS-200801449-1

Consumer alleges that she was cut during a pedicure service in Respondent shop and experienced pain and limited use of her foot after receiving the service. Respondent states that she offered the consumer a band-aid for her foot and told the consumer that she would not be charged for the services that she received, although the consumer insisted on paying for some of the services.

Recommendation: Close with a letter of warning re: competent practice of manicuring and flag the file.

18. L-05-COS-RBS-200501755-1

Notice of Violation issued May 2005 alleged operation of a cosmetology shop while the cosmetology shop license was expired. No new Notices have been issued since that date and the shop license is currently valid.

Recommendation: Close.

19. L-05-COS-RBS-200502710-1

Notice of Violation issued June 2005 alleged operation of a cosmetology shop prior to inspection. No new Notices have been issued since the first Notice and the shop currently holds a valid license.

Recommendation: Close.

20. L-05-COS-RBS-20003119-1

The license roster indicates that this shop is now closed for business.

Recommendation: Close.

21. L-05-COS-RBS-200803339-1

Notice of Violation issued August 2005 alleges unlicensed practice of cosmetology in an unlicensed facility. No additional information has been received since the Notice was issued.

Recommendation: Close.

22. L-05-COS-RBS-200503785-1

The license roster indicates that this shop is now closed for business.

Recommendation: Close.

23. L-05-COS-RBS-200503786-1

The license roster indicates that this shop is now closed for business.

Recommendation: Close.

24. L-05-COS-RBS-200504449-1

The license roster indicates that this shop is now closed for business.

Recommendation: Close.

25. L-05-COS-RBS-200505168-1

The license roster indicates that this shop is now closed for business.

Recommendation: Close.

26. L-06-COS-RBS-200602287-1

Notice of Violation issued September 2006 alleges failure to display a valid cosmetologist license. No additional information has been received since the Notice issuance date.

Recommendation: Close.

27. L-06-COS-RBS-200602496-1

Notice of Violation issued June 2006 was issued to the previous owner of Respondent shop.

Recommendation: Close.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to accept the recommendations. Motion carried unanimously.

Mr. Terrance Bond, Staff Attorney stated that he has had several inquiries concerning credo blades. The board asked if he could get information from the other states concerning the use of credo blades.

OTHER BUSINESS

Mr. Terrance Bond, Staff Attorney discussed skin care shops with the board members.

Ms. Beverly Waller, Executive Director informed the board members that there will be no board meeting in the month of January.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Nina Coppinger to adjourn the meeting. Motion carried unanimously.